

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

UNITED STATES OF AMERICA

v.

DANIEL PORTER

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**Case No. 3:13-CR-149-001
CHIEF JUDGE VARLAN**

AGREED ORDER OF REVOCATION

A Petition for Revocation of Supervised Release has been filed against the defendant, Daniel Porter, and the defendant admits that he has violated his supervised release as specified in violation numbers 1-2 in the petition. An agreement has been reached between the parties, recommending that Mr. Porter's supervised release should be revoked and that he should receive a sentence of one (1) month incarceration with thirty (30) months supervised release to follow.

Mr. Porter agrees to waive his right to a hearing pursuant to Rule 32 of the Rules of Criminal Procedure, waive his right to allocute at a revocation hearing, and asks that the agreement of the defendant and the government pursuant to Rule 11 of the Federal Rules of Criminal Procedure be found to be a proper sentence.

This Court has considered the Chapter Seven policy statements in the United States Sentencing Guidelines. The defendant's criminal history category is II. The advisory guideline range is 4-10 months for "Grade C" violations which the Court has carefully considered. There is a statutory maximum of 24 months imprisonment which the Court has also considered. The Court has also considered the factors listed in 18 U.S.C. §3553(a).

Based on the foregoing, the Court finds that the recommended sentence is

sufficient, but not greater than necessary, to accomplish the purposes set forth in 18 U.S.C. §3553(a) while taking into consideration all of those factors and the Chapter Seven policy statements.

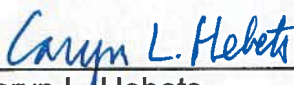

IT IS HEREBY ORDERED, therefore, that the defendant's supervised release is hereby revoked. The defendant is hereby sentenced to a term of imprisonment of one (1) month to be followed by thirty (30) months supervised release. While on supervised release, Mr. Porter shall abide by all general, standard and special conditions of supervised release previously ordered.

ENTER:



CHIEF UNITED STATES DISTRICT JUDGE

APPROVED FOR ENTRY:

 by 
Caryn L. Hebets
Assistant U.S. Attorney *w/perm.*



Jonathan Moffatt
Attorney for Defendant



Daniel Porter
Defendant

 by 
Scott A. Smith
U.S. Probation Officer *Moffatt w/perm.*